

1 AN ACT concerning education.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The School Code is amended by changing Section
5 24-6 as follows:

6 (105 ILCS 5/24-6) (from Ch. 122, par. 24-6)

7 Sec. 24-6. Sick leave. The school boards of all school
8 districts, including special charter districts, but not
9 including school districts in municipalities of 500,000 or
10 more, shall grant their full-time teachers, and also shall
11 grant such of their other employees as are eligible to
12 participate in the Illinois Municipal Retirement Fund under the
13 "600-Hour Standard" established, or under such other
14 eligibility participation standard as may from time to time be
15 established, by rules and regulations now or hereafter
16 promulgated by the Board of that Fund under Section 7-198 of
17 the Illinois Pension Code, as now or hereafter amended, sick
18 leave provisions not less in amount than 10 days at full pay in
19 each school year. If any such teacher or employee does not use
20 the full amount of annual leave thus allowed, the unused amount
21 shall be allowed to accumulate to a minimum available leave of
22 180 days at full pay, including the leave of the current year.
23 Sick leave shall be interpreted to mean personal illness,

1 quarantine at home, serious illness or death in the immediate
2 family or household, or birth, adoption, or placement for
3 adoption. The school board may require a certificate from a
4 physician licensed in Illinois to practice medicine and surgery
5 in all its branches, an advanced practice nurse who has a
6 written collaborative agreement with a collaborating physician
7 that authorizes the advanced practice nurse to perform health
8 examinations, ~~or~~ a physician assistant who has been delegated
9 the authority to perform health examinations by his or her
10 supervising physician, or, if the treatment is by prayer or
11 spiritual means, ~~that of~~ a spiritual adviser or practitioner of
12 the teacher's or employee's such person's faith, as a basis for
13 pay during leave after an absence of 3 days for personal
14 illness or 30 days for birth, or as the school board ~~it~~ may
15 deem necessary in other cases. If the school board does require
16 a certificate as a basis for pay during leave of less than 3
17 days for personal illness, the school board shall pay, from
18 school funds, the expenses incurred by the teachers or other
19 employees in obtaining the certificate. For paid leave for
20 adoption or placement for adoption, the school board may
21 require that the teacher or other employee provide evidence
22 that the formal adoption process is underway, and such leave is
23 limited to 30 days unless a longer leave has been negotiated
24 with the exclusive bargaining representative. Notwithstanding
25 any other rulemaking authority that may exist, neither the
26 Governor nor any agency or agency head under the jurisdiction

1 of the Governor has any authority to make or promulgate rules
2 to implement or enforce the provisions of this amendatory Act
3 of the 95th General Assembly. If, however, the Governor
4 believes that rules are necessary to implement or enforce the
5 provisions of this amendatory Act of the 95th General Assembly,
6 the Governor may suggest rules to the General Assembly by
7 filing them with the Clerk of the House and the Secretary of
8 the Senate and by requesting that the General Assembly
9 authorize such rulemaking by law, enact those suggested rules
10 into law, or take any other appropriate action in the General
11 Assembly's discretion. Nothing contained in this amendatory
12 Act of the 95th General Assembly shall be interpreted to grant
13 rulemaking authority under any other Illinois statute where
14 such authority is not otherwise explicitly given. For the
15 purposes of this amendatory Act of the 95th General Assembly,
16 "rules" is given the meaning contained in Section 1-70 of the
17 Illinois Administrative Procedure Act, and "agency" and
18 "agency head" are given the meanings contained in Sections 1-20
19 and 1-25 of the Illinois Administrative Procedure Act to the
20 extent that such definitions apply to agencies or agency heads
21 under the jurisdiction of the Governor.

22 If, by reason of any change in the boundaries of school
23 districts, or by reason of the creation of a new school
24 district, the employment of a teacher is transferred to a new
25 or different board, the accumulated sick leave of such teacher
26 is not thereby lost, but is transferred to such new or

1 different district.

2 For purposes of this Section, "immediate family" shall
3 include parents, spouse, brothers, sisters, children,
4 grandparents, grandchildren, parents-in-law, brothers-in-law,
5 sisters-in-law, and legal guardians.

6 (Source: P.A. 94-350, eff. 7-28-05; 95-151, eff. 8-14-07.)

7 Section 99. Effective date. This Act takes effect upon
8 becoming law.